

MORVILLO ABRAMOWITZ GRAND IASON & ANELLO P.C.

ELKAN ABRAMOWITZ
RICHARD F. ALBERT
ROBERT J. ANELLO*
LAWRENCE S. BADER
BENJAMIN S. FISCHER
CATHERINE M. FOTI
PAUL R. GRAND
LAWRENCE IASON
BRIAN A. JACOBS
JUDITH L. MOGUL
JODI MISHER PEIKIN
ROBERT M. RADICK*
JONATHAN S. SACK**
EDWARD M. SPIRO
JEREMY H. TEMKIN
RICHARD D. WEINBERG

565 FIFTH AVENUE
NEW YORK, NEW YORK 10017
(212) 856-9600
FAX: (212) 856-9494

www.maglaw.com

WRITER'S CONTACT INFORMATION

rradick@maglaw.com
(212) 880-9558

COUNSEL
JASMINE JUTEAU
CURTIS B. LEITNER
DANIEL F. WACHTELL

ROBERT G. MORVILLO
1938-2011
MICHAEL C. SILBERBERG
1940-2002
JOHN J. TIGUE, JR.
1939-2009

* ALSO ADMITTED IN WASHINGTON, D.C.
** ALSO ADMITTED IN CONNECTICUT

August 21, 2018

By ECF

The Honorable Margo K. Brodie
United States Judge
United States Courthouse
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Jeffrey Rodriguez, 14 Cr. 148 (MKB)

Dear Judge Brodie:

On behalf of Jeffrey Rodriguez, whom I was appointed to represent pursuant to the Criminal Justice Act, I respectfully submit this letter to request, with the consent of the government and the Probation Department for the Middle District of Florida, that Mr. Rodriguez be permitted to travel to the Dominican Republic between September 20 and October 2, 2018.

As your Honor may recall from relatively recent pro se motion practice in this matter, on April 1, 2015, the Honorable John Gleeson imposed upon Mr. Rodriguez a sentence of time served, with the additional requirement that Mr. Rodriguez be on supervised release for a total of five years. On September 12, 2016, subsequent to Judge Gleeson's retirement, this matter was reassigned to Your Honor. Pursuant to the sentence that Judge Gleeson imposed, Mr. Rodriguez remains on supervised release, and he is currently being supervised by the United States Probation Department in the Middle District of Florida.

During the course of his supervision, Mr. Rodriguez has been advised by the Probation Department that in order to travel internationally, he must first seek and obtain the permission of this Court. Accordingly, Mr. Rodriguez has informed me that on September 21, 2018, his daughter will be turning thirteen years old, and neither she nor Mr. Rodriguez's other child (a son) have ever been to the Dominican Republic, which is the country in which Mr. Rodriguez was born and where certain of his relatives still reside. As a birthday present to his daughter, and also as a means of permitting his daughter and son to meet specific family members who reside in the Dominican Republic, Mr. Rodriguez would like to travel to that country with his wife and two children starting on September 20, 2018. The trip would last approximately 12 days, and

MORVILLO ABRAMOWITZ GRAND JASON & ANELLO P.C.

The Honorable Margo K. Brodie
August 21, 2018
Page 2 of 2

Mr. Rodriguez would be returning to the United States with his wife and children on October 2, 2018.

Prior to submitting this application to the Court, I contacted both the Probation Department in the Middle District of Florida, and the United States Attorney's Office for the Eastern District of New York, in order to obtain their position regarding this request. In response, I was informed by Analesha Berrios of the Probation Department in the Middle District of Florida that she consents to Mr. Rodriguez's requested travel. I have also been informed by Assistant U.S. Attorney Erin Argo that the government also consents to Mr. Rodriguez's travel, provided that he notify the Probation Officer promptly upon his return to the United States. I then conferred with Mr. Rodriguez, and he indicated that he will not only contact the Probation Department promptly upon his return, but also, prior to his departure, will share with the Probation Department all of the details regarding his anticipated travel.

Given the consent of the parties, and what I understand to be Mr. Rodriguez's full compliance with and positive adjustment to supervision (see *U.S. v. Rodriguez*, 14 Cr. 148, Docket Entry 36), I respectfully request that the Court approve the travel requested herein. No prior request for this specific trip has been made. Further, in December 2015, when Mr. Rodriguez sought permission from Judge Gleeson to travel to the Dominican Republic for a separate trip (see *id.*, Docket Entry 31), that application was granted (*id.*, Docket Entry of December 14, 2015), and Mr. Rodriguez traveled to and from the Dominican Republic without incident.

On behalf of Mr. Rodriguez, I thank the Court for its consideration of this request.

Respectfully submitted,



Robert M. Radick

cc: Assistant U.S. Attorney Erin Argo (by email and ECF)
Analesha Berrios, U.S. Probation Department, Middle District of Florida (by text and fax)